

**Application No.: 10/591,372**  
**Filing Date: June 25, 2007**

## **REMARKS**

This paper supplements the Amendment filed July 15, 2009 (hereinafter the "Original Amendment") and is responsive, in part, to the Office Action mailed April 16, 2009. The purpose of this Supplemental Amendment is to submit evidentiary support for the declaration submitted in the Original Amendment. The declaration was submitted to antedate the reduction to practice date of the present application.

In the Office Action, Claims 1-4, 7, 10, 11, 17-20, 23-26 and 28-34 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. 2005/0164146 by Cantor (hereinafter "Cantor"). Claims 19, 20, 33 and 34 were rejected under 35 U.S.C. §103(a) as being unpatentable over Cantor in view of U.S. Patent No. 5,816,813 issued to Hansson et al.

In the Original Amendment, Applicant submitted a declaration under 37 C.F.R. §1.131 to antedate the reduction to practice date of the present application and traverse the rejections under 35 U.S.C. §102(e) and §103(a). The declaration indicates that the presently claimed invention was reduced to practice prior to the effective filing date of Cantor. In the Original Amendment, a copy of an engineering drawing of a dental implant evidencing the reduction to practice was inadvertently not included. This Supplemental Amendment resubmits the declaration along with the copy of the engineering drawing of a dental implant.

Applicant hereby confirms and reasserts all other amendments and remarks submitted in the Original Amendment.

### ***Co-Pending Applications of Assignee***

Applicant wishes to draw the Examiner's attention to the following co-pending applications of the present application's assignee.

| <b>Serial Number</b> | <b>Title</b>                      | <b>Filed</b> |
|----------------------|-----------------------------------|--------------|
| 11/035,266           | ANCHORING ELEMENT FOR USE IN BONE | 01/12/2005   |
| 10/587,497           | ANCHORING ELEMENT FOR USE IN BONE | 07/20/2007   |
| 11/250,900           | FIXTURE FOR ANCHORING IN JAW BONE | 10/14/2005   |

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| 10/582,586 | ARRANGEMENT AND SYSTEM FOR ANCHORING OF AN IMPLANT AND INSTALLATION ON THE IMPLANT OR IMPLANTS | 04/11/2007 |
|------------|--|------------|

***No Disclaimers or Disavowals***

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, the Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. The Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance in view of the above remarks. Any remarks in support of patentability of one claim, however, should not be imputed to any other claim, even if similar terminology is used. Additionally, any remarks referring to only a portion of a claim should not be understood to base patentability on that portion; rather, patentability must rest on each claim taken as a whole. Applicant respectfully traverses each of the Examiner's rejections and each of the Examiner's assertions regarding what the prior art shows or teaches, even if not expressly discussed herein.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claim and drawings in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney in order to resolve such issue promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

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Respectfully submitted,

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